

AN ACT

ENTITLED, An Act to revise the exemptions to the practice of cosmetology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-15-2 be amended to read as follows:

36-15-2. Any person, who for compensation, a fee, or any valuable consideration, engages in any of the following practices or arts is engaged in the practice of cosmetology: dressing, curling, waving, permanent waving, cleaning, cutting, singeing, bleaching, setting, fitting, coloring, or similar work upon the hair or wigs of any person by any means, or who, with hands, mechanical or electrical apparatus, or any other appliances, or by use of cosmetic preparations or antiseptics, engages in the practice or art of massaging, cleansing, manipulating, or performing similar services upon the scalp, face, neck, arms, bust, or shoulders, manicuring the nails, or removing superfluous hair about the body of any person. Any person practicing cosmetology shall be licensed under this title, while practicing within the scope of that person's license. The following does not constitute the practice of cosmetology:

- (1) Any person practicing permanent removal of hair by the use of a galvanic or thermalytic needle; or
- (2) Any retailer at a retail establishment who in the ordinary course of business is engaged in the demonstration of make-up if:
  - (a) The make-up is applied only with disposable applicators that are discarded after each customer demonstration;
  - (b) The demonstration is without charge to the person to whom the demonstration is given; and
  - (c) The retailer does not advertise or provide a cosmetological service except the sale of make-up and fragrances.

An Act to revise the exemptions to the practice of cosmetology.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1099

\_\_\_\_\_  
Chief Clerk  
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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1099

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_ ,

19\_\_ at \_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 19\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 19\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State